



MUSEUM OF PALEONTOLOGY

BERKELEY, CALIFORNIA 94720-4780

October 11, 2015

Christopher Calfee, Senior Counsel
Governor's Office of Planning and Research
1400 Tenth Street
Sacramento, CA 95814

Dear Mr. Calfee:

I am writing in opposition to the proposed Assembly Bill 52 as a Certified Orange County Paleontologist, Faculty Curator in the Museum of Paleontology at UC Berkeley, and Director of the Orange County J. D. Cooper Archaeological and Paleontological Center managed by California State University Fullerton.

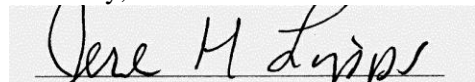
The separation of Paleontological Resources from Cultural (e.g., archaeological) Resources is a move in the right direction because these two resources are quite different in occurrence and methodology of mitigation.

However, AB 52 proposes that paleontological resources be included in a broad category of unrelated features under the "Open Space" category. This categorization makes little sense for protecting resources that occur below ground level and therefore would be in danger of destruction during excavation. "Paleontological Resources" should be placed in its own category, parallel to but distinct from, "Cultural Resources". The recognition, prediction, mitigation, and collection of paleontological resources differs significantly from archaeological resources. The proposed AB 52 does not protect fossils or other paleontological resources unearthed in areas outside of the "open spaces". This is simply a way to exclude large areas of development or construction from mitigation of paleontological resources that might occur in those other areas. While that would cut costs for development or construction, it would not be in the spirit or intent of the original CEQA regulations that protect fossils.

Since its passage, CEQA has protected through proper mitigation many unique and valuable paleontological resources that were placed in the public trust. Many of these recovered fossils were documented in peer-reviewed publications and utilized for scientific research, public engagement in museums, festivals and exhibits, and in educational programs from K to adults.

In order that California continue to protect its paleontological heritage and history, I urge that paleontological resources be included in a revised AB 52 under a separate category parallel to cultural resources, without it being lodged in the broad category of "open spaces".

Sincerely,



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